

House File 78 - Introduced

HOUSE FILE 78

BY WHEELER

A BILL FOR

1 An Act relating to fees charged to a prisoner in the custody of
2 a county sheriff or municipality for administrative costs,
3 room and board, and medical aid.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 356.7, subsection 3, Code 2023, is
2 amended to read as follows:

3 3. Upon receipt of a claim for reimbursement, the court
4 shall approve the claim in favor of the sheriff or the county,
5 or the municipality, for the amount owed by the prisoner as
6 identified in the claim and any fees or charges associated
7 with the filing or processing of the claim with the court.
8 The claim shall be approved without regard to the prisoner's
9 reasonable ability to pay. The sheriff or municipality may
10 choose to enforce the claim in the manner provided in chapter
11 626. Once approved by the court, the claim for the amount owed
12 by the person shall have the force and effect of a judgment
13 for purposes of enforcement by the sheriff or municipality.
14 However, irrespective of whether the judgment lien for the
15 amount of the claim has been perfected, the claim shall
16 not have priority over competing claims for child support
17 obligations owed by the person.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill relates to fees charged to a prisoner in the
22 custody of a county sheriff or municipality for administrative
23 costs, room and board, and medical aid.

24 Current law provides that the county sheriff, or a
25 municipality operating a temporary municipal holding facility
26 or jail, may charge a prisoner who is 18 years of age or older
27 and who has been convicted of a criminal offense or sentenced
28 for contempt of court for violation of a domestic abuse order
29 for the actual administrative costs relating to the arrest
30 and booking of that prisoner, for room and board provided to
31 the prisoner while in the custody of the county sheriff or
32 municipality and for any medical aid provided to the prisoner.

33 The bill adds language which clarifies that a reimbursement
34 claim made by a sheriff or the county shall be approved by a
35 court without regard to the prisoner's reasonable ability to

H.F. 78

1 pay.